

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DELRON MIMS and SHAREEF BROWN,

Plaintiffs

v.

SHENTEL KALAKAU and DOORDASH,  
INC.,

Defendants

Case No.: 2:24-cv-00342-APG-DJA

**Order Remanding Case for Lack of  
Subject Matter Jurisdiction**

Defendant DoorDash, Inc. removed this personal injury case from state court based on diversity jurisdiction. However, the plaintiffs alleged that they and defendant Shentel Kalakau are Nevada residents. ECF No. 1-1 at 2. I therefore ordered DoorDash to show cause why this action should not be remanded for lack of subject matter jurisdiction. ECF No. 4. DoorDash responded by providing a declaration from Kalakau stating that she moved to Hawaii on February 7, 2023 and plans to live there indefinitely. ECF No. 7-1. However, when a case is removed based on diversity, the parties' citizenship "is determined (and must exist) as of the time the complaint is filed and removal is effected." *Strotek Corp. v. Air Transp. Ass'n. of Am.*, 300 F.3d 1129, 1131-32 (9th Cir. 2002). Although Kalakau moved to Hawaii before DoorDash removed the case, she did so after the complaint was filed in state court on January 9, 2024. ECF No. 1-1.

I THEREFORE ORDER that this case is remanded to the state court from which it was removed for all further proceedings. The clerk of the court is instructed to close this case.

DATED this 7th day of March, 2024.



ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE